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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 TRUSTEES OF THE BRICKLAYERS LOCAL NO.) CASE NO. C 04 0694 WHA
13 3 PENSION TRUST; TRUSTEES OF THE)
14 BRICKLAYERS LOCAL NO. 3 HEALTH AND)
15 WELFARE TRUST; TRUSTEES OF THE)
16 BRICKLAYERS AND ALLIED CRAFTS LOCAL)
17 NO. 3 APPRENTICE TRAINING TRUST;) [PROPOSED] JUDGMENT
18 INTERNATIONAL UNION OF) AS TO DEFENDANTS
19 BRICKLAYERS AND ALLIED CRAFTSMEN,) THOMPSON PACIFIC
20 AFL-CIO, LOCAL UNION NO. 3, on behalf) CONSTRUCTION INC.,
21 of itself and as agent for) SWINERTON BUILDERS,
22 its members; TRUSTEES OF THE) COLONIAL AMERICAN
23 INTERNATIONAL UNION OF BRICKLAYERS AND) CASUALTY AND SURETY
24 ALLIED CRAFTSMEN PENSION FUND,) COMPANY, and THE UNITED
25) STATES FIDELITY AND
26 Plaintiffs,) GUARANTY COMPANY
27)
28)

1 JAMES LEON SISCO, as an individual and)
2 doing business as "Armor Company";)
3 SURETY COMPANY OF THE PACIFIC, a)
4 California corporation;)
5 WEST BAY BUILDERS, INC., a California)
6 corporation; THOMPSON PACIFIC)
7 CONSTRUCTION, INC., a California)
8 corporation; CITY OF LIVERMORE,)
9 CALIFORNIA; SWINERTON BUILDERS, a)
10 California corporation; TRAVELERS)
11 CASUALTY AND SURETY COMPANY OF AMERICA,)
12 a Connecticut corporation; HARTFORD)
13 FIRE INSURANCE COMPANY, a Connecticut)
14 corporation; THE UNITED STATES FIDELITY)
15 AND GUARANTY COMPANY, a Maryland) Date: TBA
16 corporation; COLONIAL AMERICAN CASUALTY) Time: TBA
17 AND SURETY COMPANY, a Maryland) Courtroom: 9 (19th Fl.)
18 corporation,) (San Francisco)
19)
20 Defendants.)

1 WHEREAS Plaintiffs have filed a motion for attorneys' fees
2 and costs against defendants Thompson Pacific Construction Inc.,
3 Swinerton Builders, The United States Fidelity And Guaranty
4 Company and Colonial American Casualty And Surety Company
5 (hereinafter "UCSF Defendants");

6 WHEREAS an Order has been entered herein on June 7, 2005
7 that Plaintiffs are entitled to attorneys' fees and costs as to
8 the UCSF Defendants; and

9 WHEREAS the parties have complied with Judge William Alsup's
10 Guidelines For Attorney's Fees Motion and the issue of the amount
11 of Plaintiffs' fees and costs has been submitted to a Special
12 Master in accordance with those Guidelines;

13 WHEREAS the Special Master has, after a review of the
14 evidence and briefs of the parties and consideration of the oral
15 argument of counsel, recommended that Plaintiffs be awarded from
16 the UCSF Defendants Plaintiffs' attorney's fees and costs through
17 November 3, 2005 in the amount of \$39,057.05; and,

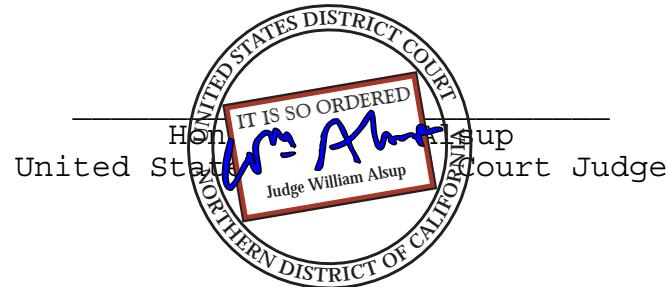
18 WHEREAS Plaintiffs have incurred fees payable to the Special
19 Master related to the proceedings of the Special Master as to the
20 UCSF Defendants in the amount of \$2,415.60; and,

21 WHEREAS the amount of fees and costs proposed by Plaintiffs
22 and submitted under seal in accordance with this Court's
23 Guidelines was less than the amount of the Special Master's
24 recommendation and closer to the amount of that recommendation
25 than the fees and costs proposed by the UCSF Defendants; and,

26 WHEREAS this matter, has properly come before the
27 undersigned Judge and the Court has reviewed the records and
28 files herein and is fully advised of the premises:

1 **IT IS HEREBY ORDERED AND ADJUDGED** that Plaintiffs do hereby
2 have judgment against THOMPSON PACIFIC CONSTRUCTION INC.,
3 SWINERTON BUILDERS, THE UNITED STATES FIDELITY AND GUARANTY
4 COMPANY and COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and
5 each of them, jointly and severally, in the amount of Forty One
6 Thousand Four Hundred Seventy Two Dollars And Sixty Five Cents
7 (\$41,472.65), inclusive of attorney's fees and costs.

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9 Dated: January 5, 2006



10 United States District Court Judge

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